

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Theodor Funck**

Docket No.

46955.13

Application No.

10/802,175

Filing Date

March 17, 2004

Examiner

Jerry Lin

Customer No.

023973

Group Art Unit

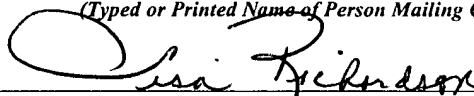
1631Invention **Method and Device for Diagnostic Investigation of Biological Samples**

DEC 20 2006

I hereby certify that the following correspondence:

Amendment Transmittal Letter (1 p.); Response to Restriction Requirement (8 pp.); Post Card*(Identify type of correspondence)*

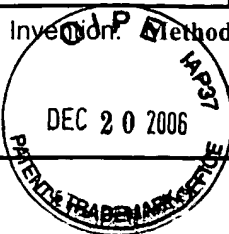
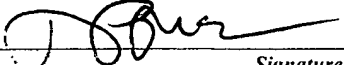
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

December 20, 2006*(Date)***Lisa Richardson***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV592625318US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

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12-21-06

JFW

AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. 46955.13	
Applicant(s): Theodor Funck					
Application No. 10/802,175	Filing Date March 17, 2004	Examiner Jerry Lin	Customer No. 023973	Group Art Unit 1631	Confirmation No. 3846
Invention: Method and Device for Diagnostic Investigation of Biological Samples					
 COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	14 -	20 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0573 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ <i>Signature</i>			Dated: December 20, 2006		
Matthew P. McWilliams, Esq. Registration No. 46,922 Drinker Biddle & Reath LLP One Logan Square 18th & Cherry Streets Philadelphia, PA 19103 Phone: (215) 988-3381 Fax: (215) 988-2757			I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ _____ (Date) _____ <i>Signature of Person Mailing Correspondence</i> _____ <i>Typed or Printed Name of Person Mailing Correspondence</i>		
CC:					



Attorney's Docket No. 46955.13

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Theodor Funck :
Serial No.: 10/802,175 : Group No. : 1631
Filed: March 17, 2004 : Examiner: Jerry Lin

For: Method and Device for Diagnostic Investigation of Biological Samples

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed on December 18, 2006
in the subject application, Applicant respectfully re-submits the following amendments and
remarks.

Amendments to the Claims begin on Page 2 of this paper.

Remarks begin on Page 6 of this paper.